

1 James A. McDevitt  
2 United States Attorney  
3 Eastern District of Washington  
Stephanie J. Lister  
4 Assistant United States Attorney  
Post Office Box 1494  
Spokane, WA 99210-1494  
Telephone: (509) 353-2767

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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF WASHINGTON

8 UNITED STATES OF AMERICA,                          }  
9    }  
Plaintiff,    }  
10    }  
vs.     }  
11 KENNETH JOHN FREEMAN,                            }  
12    }  
Defendant.    )  
    08-CR-06087-LRS  
    Motion to File United States'  
    Sentencing Memorandum and  
    Motion for Upward Departure  
    or Variance Under Seal

13 Plaintiff, United States of America, by and through James A. McDevitt,  
14 United States Attorney for the Eastern District of Washington, and Stephanie J.  
15 Lister, Assistant United States Attorney for the Eastern District of Washington,  
16 moves the court for an order to file the United States' Sentencing Memorandum  
17 and Motion for Upward Departure or Variance under seal in order to protect the  
18 privacy of the victim and the victim's family.

19 DATED March 18, 2009.

20    James A. McDevitt  
21    United States Attorney

22    s/Stephanie J. Lister

23    Stephanie J. Lister  
24    Assistant United States Attorney

1 I hereby certify that on March 18, 2009, I electronically filed the foregoing  
2 with the Clerk of the Court using the CM/ECF System which will send  
3 notification of such filing to the following, and/or I hereby certify that I have  
4 mailed by United States Postal Service the document to the following non-  
5 CM/ECF participant(s):

6  
7 Carl J. Oreskovich  
8 Attorney at Law  
618 W. Riverside, 2nd Floor  
Spokane, Washington 99201  
9

10 s/Stephanie J. Lister  
11  
12 Stephanie J. Lister  
Assistant United States Attorney  
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